

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS McCLAIN,)	
Plaintiff)	
)	
vs.)	Civil Action No. 05-512
)	Judge Terrence F. McVerry/
MRS. ARNOLD; PAROLE OFFICE)	Magistrate Judge Amy Reynolds Hay
MAFIA,)	
Defendants)	

ORDER OF COURT

AND NOW, this 17th day of November, 2005, after the plaintiff, Thomas McClain, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the above captioned case is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

THOMAS MCCLAIN
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